

Township of Lawrence
County of Mercer

Ordinance No. 2476-24

AN ORDINANCE AMENDING CHAPTER 435 ARTICLE IV OF THE TOWNSHIP OF LAWRENCE ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC'

WHEREAS, The Township of Lawrence ("Township") has determined it to be in the best interests of the safety, health, and welfare of its residents to regulate engine braking within the Township; and

WHEREAS, "Engine Braking" is the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motor vehicle which results in the excessive loud, unusual or explosive noise from such vehicle

NOW, THEREFORE, BE ORDAINED, by the Mayor and Council of the Township of Lawrence, County of Mercer, and State of New Jersey, that Chapter 435 of the Township Administrative Code entitled "Vehicles and Traffic" is hereby amended as follows:

Section 1. Article IV - Traffic Regulations

New Section 435-65 entitled "Engine Braking" is hereby adopted as follows:

§ 435-65 Engine Braking Prohibited

- A. Definition.** "Engine Braking" shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motor vehicle which results in the excessive loud, unusual or explosive noise from such vehicle.
- B. Prohibited.** It shall be unlawful for the driver of any motor vehicle to use or operate or cause to be used or operated, at any time and on any road within the Township of Lawrence, any mechanical exhaust or decompression device which results in a practice known as "engine-braking".
- C. Exceptions.** The provisions of this section shall not apply to engine braking where necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes, otherwise known as "engine braking," which is effectively muffled or if the application is necessary for the health, safety, and welfare of the community is exempt from the provisions of this section. Sounds created by emergency equipment for emergency purposes are also exempt.
- D. Posting of Signs.** The Township is hereby authorized to post signs at reasonable locations within the Township indicating the prohibition of the practice of "engine braking".

E. Violations and Penalties. Unless another penalty is expressly provided by New Jersey Statute, a person convicted of a first violation of this chapter shall be subject to a fine of not more than \$500 and/or to imprisonment for a period not to exceed 10 days. A person convicted of a second violation of this chapter shall be subject to a fine of not more than \$1,000 and/or to imprisonment for a period not to exceed 20 days. A person convicted of a third or subsequent violation of this chapter shall be subject to a fine or not more than \$,1,500 and/or by imprisonment for a period not to exceed six months.

Section 2. This ordinance supersedes all previous ordinances that relate to traffic regulation within the Township of Lawrence

Section 3. Severability.
if any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 4. Repealed.
All ordinances or parts thereof inconsistent with any provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date.
This ordinance shall become effective twenty (20) days following the adoption thereof in accordance with law.

Additions _____
Deletions { }

Adopted: September 17, 2024

RECORD OF VOTE

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bobbitt	X					X	
Mr. Kownacki	X						
Ms. Perry	X						X
Mr. Ryan	X						
Mayor Farmer	X						